



IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF VIRGINIA

NORFOLK DIVISION

UNITED STATES OF AMERICA

v.

MILEN Z. MARINOV,

Defendant.

CRIMINAL NO. 2:13cr 68

18 U.S.C. § 1029(a)(2)

Use of Unauthorized Access Device
(Count 1)

18 U.S.C. § 1028A(a)(1)

Aggravated Identity Theft
(Counts 2, 3 & 4)

Forfeiture

INDICTMENT

MAY 2013 TERM – at Norfolk, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

During the period from in or about April 2011 through December 2011, in the Eastern District of Virginia, MILEN Z. MARINOV, the defendant, did knowingly and with intent to defraud, and in a manner affecting interstate commerce, use one or more unauthorized access devices during a one-year period, and by such conduct obtained something of value aggregating \$1,000.00 or more during that period, in that:

1. On numerous occasions, the defendant affixed a small computerized device, known as a skimmer, to automated teller machines (ATMs) operated by banks. A skimmer, as the defendant knew, is designed to capture the account number and other data contained on an ATM card when a bank customer uses the card to make a transaction, including a withdrawal or other

transfer of funds, without the knowledge of the customer. The defendant subsequently encoded the account number and other data that he misappropriated onto blank cards, and then used those cards together with customer PINs to make unauthorized withdrawals of cash from ATMs.

2. On or about April 15, 2011 and April 17, 2011, the defendant affixed a skimmer to the ATM at a branch of Bank of America located at 3376 Princess Anne Road #213, Virginia Beach, Virginia. The defendant thereby obtained the account numbers and other data contained on ATM cards belonging to approximately 37 customers without their knowledge. He subsequently used this information to create fraudulent ATM cards and made unauthorized cash withdrawals from customer accounts totaling approximately \$21,317.00.

3. On approximately 10 occasions between May 17, 2011 and June 11, 2011, the defendant affixed a skimmer to the ATM at a branch of Bank of America located at 7834 East Parham Road, Richmond, Virginia. The defendant thereby obtained the account numbers and other data contained on ATM cards belonging to approximately 105 customers without their knowledge. He subsequently used this information to create fraudulent ATM cards and made unauthorized cash withdrawals from customer accounts totaling approximately \$71,350.55.

4. On approximately two occasions between October 19, 2011 and October 20, 2011, the defendant affixed a skimmer to the ATM at a branch of SunTrust Bank located at 3334 Virginia Beach Boulevard, Virginia Beach, Virginia. The defendant thereby obtained the account numbers and other data contained on ATM cards belonging to approximately 18 customers without their knowledge. He subsequently used this information to create fraudulent ATM cards and made unauthorized cash withdrawals from customer accounts totaling approximately \$7,880.00.

5. On approximately four occasions between October 21, 2011 and October 24, 2011, the defendant affixed a skimmer to the ATM at a branch of SunTrust Bank located at 635 Lynnhaven Parkway, Virginia Beach, Virginia. The defendant thereby obtained the account numbers and other data contained on ATM cards belonging to approximately 76 customers without their knowledge. He subsequently used this information to create fraudulent ATM cards and made unauthorized cash withdrawals from customer accounts totaling approximately \$6,749.00.

6. On or about November 6, 2011, the defendant affixed a skimmer to the ATM at a branch of Bank of America located at 8001 Patterson Drive, Richmond, Virginia. The defendant thereby obtained the account numbers and other data contained on ATM cards belonging to approximately 26 customers without their knowledge. He subsequently used this information to create fraudulent ATM cards and made unauthorized cash withdrawals from customer accounts totaling approximately \$23,380.00.

(In violation of Title 18, United States Code, Section 1029(a)(2).)

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 15, 2011, in the Eastern District of Virginia, MILEN Z. MARINOV, the defendant, did knowingly transfer, possess and use, without lawful authority, a means of identification of another person, that is, the account number and other identifying data for the automated teller machine (ATM) card belonging to M.G., during and in relation to a felony enumerated in 18 U.S.C. § 1028A(c), namely, use of an unauthorized access device in violation of 18 U.S.C. § 1029(a)(2), as charged in Count One of this indictment.

(In violation of Title 18, United States Code, Section 1028A(a)(1).)

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 17, 2011, in the Eastern District of Virginia, MILEN Z. MARINOV, the defendant, did knowingly transfer, possess and use, without lawful authority, a means of identification of another person, that is, the account number and other identifying data for the automated teller machine (ATM) card belonging to F.E., during and in relation to a felony enumerated in 18 U.S.C. § 1028A(c), namely, use of an unauthorized access device in violation of 18 U.S.C. § 1029(a)(2), as charged in Count One of this indictment.

(In violation of Title 18, United States Code, Section 1028A(a)(1).)

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 10, 2011, in the Eastern District of Virginia, MILEN Z. MARINOV, the defendant, did knowingly transfer, possess and use, without lawful authority, a means of identification of another person, that is, the account number and other identifying data for the automated teller machine (ATM) card belonging to J.W., during and in relation to a felony enumerated in 18 U.S.C. § 1028A(c), namely, use of an unauthorized access device in violation of 18 U.S.C. § 1029(a)(2), as charged in Count One of this indictment.

(In violation of Title 18, United States Code, Section 1028A(a)(1).)

FORFEITURE

The defendant MILEN Z. MARINOV, if convicted of one of more of the offenses set forth in Counts One, Two, Three, Four and Five of this indictment, shall, as part of the sentencing of the defendant pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure,

forfeit to the United States any property, real or personal, which constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of said offense, which is subject to criminal forfeiture pursuant to 18 U.S.C. § 982(a)(2)(B). In addition, the defendant shall forfeit to the United States any personal property used or intended to be used to commit the offense, which is subject to forfeiture pursuant to 18 U.S.C. § 1029(c)(1)(C).

The property subject to forfeiture includes but is not limited to a sum of money of at least \$130,676.55, which is the total amount of gross proceeds of the charged offenses. Said sum of money is subject to a monetary judgment in favor of the United States.

Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), the defendant shall forfeit substitute property, up to the value of the property subject to forfeiture as described above, if, as a result of any act or omission of the defendant, any such property subject to forfeiture cannot be located upon the exercise of due diligence; has been transferred, sold to or deposited with a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

(In accordance with 18 U.S.C. §§ 982(a)(7) & 1029(c)(1)(C).)

United States v. Milen Z. Marinov

Criminal No. 2:12cr 68

A TRUE BILL:

Redacted

FOREPERSON

Neil H. MacBride

United States Attorney

By:

Alan M. Salsbury

Alan M. Salsbury

Assistant United States Attorney

Virginia State Bar No. 15682

101 West Main Street, Suite 8000

Norfolk, Virginia 23510

Tel. - 757-441-6350

Fax - 757-441-6689

Email - alan.salsbury@usdoj.gov

REDACTED

JS 45 (11/2002)

Criminal Case Cover Sheet**U.S. District Court**

Place of Offense:		Under Seal: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Judge Assigned:
City: EDVA	Superseding Indictment:		Criminal Number: 2:13cr 68
County/Parish:	Same Defendant:		New Defendant: Milen Z. Marinov
Magistrate Judge Case Number:		Arraignment Date:	
Search Warrant Case Number:			
R 20/R 40 from District of			

Defendant Information:

Juvenile: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	FBI#:
Defendant Name: Milen Z. Marinov	
Alias Name(s):	
Address:	
Employment:	
Birth Date: 1974	SS#: N/A
Sex: M	Race: White
Nationality: Bulgarian	Place of Birth: Bulgaria
Height: 5'8"	Weight: 180
Hair: Black	Eyes: Brown
Scars/Tattoos:	
Interpreter: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	List Language and/or dialect:

Location Status:

Arrest Date:		
<input type="checkbox"/> Already in Federal Custody as of: _____ in: _____		
<input type="checkbox"/> Already in State Custody	<input type="checkbox"/> On Pretrial Release	<input type="checkbox"/> Not in Custody
<input checked="" type="checkbox"/> Arrest Warrant Requested	<input type="checkbox"/> Fugitive	<input type="checkbox"/> Summons Requested
<input type="checkbox"/> Arrest Warrant Pending	<input type="checkbox"/> Detention Sought	<input type="checkbox"/> Bond

Defense Counsel Information:

Name:	<input type="checkbox"/> Court Appointed
Address:	<input type="checkbox"/> Retained
Telephone:	<input type="checkbox"/> Public Defender

U.S. Attorney Information:

AUSA: Alan M. Salsbury	Telephone No. 757-441-6331	Bar #: 15682
-------------------------------	-----------------------------------	---------------------

Complainant Agency, Address & Phone Number or Person & Title:

U.S. Secret Service, 200 Granby Street, Suite 640, Norfolk, VA 23510, 757-441-3200, S/A Daniel Apperson

U.S.C. Citations:

	Code/Section	Description of Offense Charged	Count(s)	Capital/Felony/Misd/Petty
Set 1	18 U.S.C. § 1029(a)(2)	Use of Unauthorized Access Device	1	Felony
Set 2	18 U.S.C. § 1028A(a)(1)	Aggravated Identity Theft	2-4	Felony
Set 3				

(May be continued on reverse)